

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
V.) M.B.D. No. 05-10209
)
FRANCOISE NGELE BUNDU)

ASSENTED-TO MOTION TO EXCLUDE TIME

On April 26, 2005, U.S. Magistrate Judge Dein issued a finding of probable cause in the matter of United States v. Francoise Ngele Bundu, Cr. No. 05-MJ-01076-JGD, on a complaint charging the defendant with parental kidnaping, in violation of 18 U.S.C. § 1204. The parties subsequently began good faith discussions regarding resolution of the case by agreement rather than by indictment and, accordingly, have moved the Court to extend to August 25, 2005 the time period in which the government otherwise would be required or inclined to seek an indictment. For various reasons, including counsels' atypically busy summer court obligations, these discussions remain ongoing but are not yet complete. The parties believe that an additional extension of 30 days may result in a resolution of the case without the need for indictment. Accordingly, the government moves, with the defendant's assent, that the Court extend to September 29, 2005 the time period in which an indictment would otherwise need to be obtained. The government further requests that the Court find, under 18 U.S.C. §3161(h)(8)(A), and §5(c)(1)(A) of the Plan for Prompt Disposition of Criminal Cases of this Court, that the ends of justice served by granting the requested extension outweigh

the best interest of the public and the defendant in a speedy trial and, accordingly, exclude the period of the extension in computing the time within which an information or an indictment must be filed under 18 U.S.C. §3161(b).

Respectfully submitted,

MICHAEL J. SULLIVAN
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By:

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August 24, 2005